

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

In re:
Fitzpatrick Container Company,
Debtor.

Chapter 7
Case No. 20-14139-PMM

LYNN FELDMAN, as Chapter 7 Trustee
for the Estate of the Fitzpatrick Container
Company,

Adversary No. 23-00070-PMM

Plaintiff,

v.

JOHN B. LYNCH, JR.,

Defendant.

JOINT STATEMENT CONCERNING MEDIATION

Pursuant to paragraph 2 of this Court's Pretrial Order (D.I. 7), entered in the above-captioned adversary proceeding on November 7, 2023, the Plaintiff and the Defendant (collectively, the "Parties") hereby submit this joint statement to advise the Court as follows:

After discussions the Parties agree to participation in the court-annexed mediation. At this time, however, the Parties cannot locate or cannot agree upon an individual to serve as a mediator.

The Parties would like the opportunity to supplement this Joint Statement on or before Friday, December 1, 2023 which will allow for additional time to comply with Paragraph 2(b) of this Court's Pre-Trial Order.

Dated: November 21, 2023

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<i>Special Litigation Counsel to Lynn E. Feldman, as Chapter 7 Trustee of the Estate of Fitzpatrick Container Company</i>	<i>Counsel to Defendant</i>